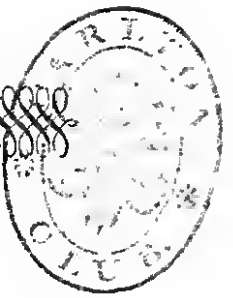

(Ireland.)

A

B I L L

For the Establishment and Regulation of Markets for the Sale of Corn and other Agricultural Produce, in the Cities and Towns of Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS the Sale and Weighing of Corn and other Agricultural Produce in Ireland are not sufficiently regulated by legal enactments; and it would tend materially to the advantage of the several persons interested in buying and selling therein, and to the improvement of the quality of the grain brought to Market by the farmer, to have one uniform system of dealing established under the authority of law; Preamble.

May it therefore please Your MAJESTY,

That it may be Enacted; **And be it Enacted**, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT whenever it may be desired by any of the inhabitants of any city or town in Ireland, excepting only the cities of Dublin and Cork, to establish a Market under the regulations of this Act, an application shall be made to the presenting sessions of the city, or county of a city, or county of a town, or of the barony or half barony, in which the whole or the greater part of said city or town shall be situated, signed by Two or more inhabitant Householders of such city or town, and which application shall be lodged with the secretary of the grand jury of a county of a city or county of a town, or county in which the whole or the greater

I. Establishment of Market, and appointment of Trustees.

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part of said city or town shall be, *Ten* Days at least before the day appointed for the holding of the first presentment sessions in such city, county of a city, county of a town, or county, nfter any assizes; and in case the magistrates and cess-payers at the said preseoting sessions shall approve of such application, the chairman shall certify the same by his signature indorsed thereon, and shall deliver it so certified to the said secretary, to he laid by him before the grand jury of the county of the city, or couoty of the town, or county in which such market is proposed to be established, at the next ensuing assizes; and in case the said grand jury shall also approve of such application, they shall appoint *Six* owners or occupiers of land of the county, and *Six* householders of the city or town in which said Market is to be established, as trustees for the establishment and regulation of said Market, and who shall not contioue in office beyond the First day of the month of May next hut one following the date of their appointment, unless re-appointed, as hereinafter provided.

2. Appointment of Trustees annually by Grand Juries.

And he it Enacted, That at the Spring Assizes in every year the grand jury of any county of a city, or county of a town, or county, in which any Market shall he established under the authority of this Act, shall appoint *Six* owners or occupiers of land of the county, and *Six* householders of the city or town wherein such Market is established, to he the Trustees of such Market for the year commencing the First day of May next following.

3. Meetings of Trustees and appointment of Chairman.

And he it Eoacted, That all Trustees appointed under the authority of this Act shall have full power and authority at all time and times hereafter to meet and assemhle themselves together whensoever and wheresoever within the district appointed for such Market they may think proper, for the purposes of this Act, and that all powers and authorities by this Act granted to the said Trustees shall and may he exercised from time to time hy the major part of them who shall attend at any meeting to he holden in pursuance of this Act (the number of the Trustees present at such meeting not heing less than *Five*); and all the acts, orders and proceedings of the major part of such Trustees present at such their several meetings shall have the same force and effect as if the same were made or done by all such Trustees for the time being; and at every meeting of the said Trustees a chairman shall and may he appointed; and when and as often as it shall so happen that there shall he an equality of votes at any such meeting upon any question (including the vote of the chairman), then and in every such case the chairman shall have and he is herehy empowered to give the decisive or casting vote: Provided nevertheless, That if such chairman so appointed shall leave or quit such meeting before the adjournment of the same, then and in such case the remaining Trustees present at such meeting, not being less than

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than *Five*, shall and may nominate and appoint another chairman to replace the said chairman, and preside at such meeting as aforesaid, during the remainder of the time of such meeting, until the same shall be adjourned.

4. Books of Proceedings to be kept.

And be it Enacted, That the said Trustees shall cause to be provided and kept a proper book or books, and fair and regular entries to be made therein of all their acts, orders and proceedings, relative to the execution of this Act, and of the names of all such Trustees as shall be present at their several meetings; and all entries in such books being signed by the chairman then present shall be deemed originals, and shall be allowed to be read as evidence in all cases, suits and actions, touching or concerning any thing done in pursuance of this Act, and that such books shall at the said meetings of the said Trustees, and at all other reasonable times, be kept open and liable to the inspection of all and every of the Trustees, and that any of the said Trustees shall and may have and take copies thereof.

5. Powers of Trustees.

And be it Enacted, That it shall and may be lawful to and for the said Trustees, from time to time, when and as often as they shall think necessary, at such respective meetings to give and sign orders for the payment of all expenditures which they shall judge to be necessary for carrying into execution the purposes of their appointment, and to elect and appoint such officer and officers, servant and servants, as they shall think fit, for the execution of the several matters comprised therein respectively, and to establish the salaries and allowances to be paid to such officer and officers, and the same to increase and diminish from time to time as to them shall seem reasonable, and also, as often as it shall appear fit to the said Trustees so to do, to remove such officers, or any of them, and to elect such others in their stead as they shall think fit, and to do any act or acts hereby authorized to be done by the said Trustees.

6. Security to be taken from Treasurer.

And be it Enacted, That the said Trustees, or any Five or more of them, shall and they are hereby required to take such sufficient security from their treasurer or treasurers, receiver or receivers, or other officers to be appointed for the purposes of this Act, for the due and faithful execution of their respective offices, as they the said Trustees shall think proper; and that no such treasurer, receiver or other officer shall be permitted to enter upon such their offices respectively until they shall have given such security.

7. Treasurer to account with Trustees.

And be it Enacted, That each and every such Treasurer, Clerk, Collector, or other officer so to be appointed, shall give, as often as they shall be thereunto required by the said Trustees, or any *Five* or more of them, or to such persons as they shall appoint, distinct,

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true, and perfect accounts, in writing, signed with their hands respectively, of all matters and things committed to their charge by virtue of this Act; and also of all the monies which shall have been by such officers or persons respectively received by virtue of such appointment, or for or on account of the said Trustees, and how much thereof hath been paid and applied, and for what purposes, together with the proper and legal receipt or vouchers for such payments, and shall pay all such monies as shall remain due from them respectively to the said Trustees, or any *Five* or more of them, or to such person or persons as they the said Trustees shall from time to time direct; and if any such officer or person so appointed as aforesaid shall not render and deliver, signed with his own hand, all and every such statements and accounts when thereunto required as aforesaid, or shall not produce and deliver up the receipts or vouchers relating to all monies received and paid by him or them, or shall not pay the monies in his hands to such Trustees, or any *Five* or more of them, or to such person as the said Trustees shall direct, or shall not deliver to such Trustees, or to any other person or persons whom they shall direct, all books, papers and writings in his or their custody or power relating to the execution of this Act, within *Twenty-four* Hours next after he or they shall be requested so to do, by a notice, in writing, signed by any *Five* of the said Trustees, or delivered to or left at the last or usual place of abode of such officers, then and in either of the said cases the said Trustees may and they are hereby authorized and empowered to bring or cause to be brought any action or actions against such officer or officers so neglecting or refusing as aforesaid for the recovery of the money that shall be in the hands of such officer or officers, or against the person or persons having become securities for him or them, or such Trustees, or any *Five* or more of them, or any other person whom they may direct for that purpose, may complain of any such refusal or neglect as aforesaid to any Justice of the Peace for the county, city, borough or place wherein such officer so neglecting or refusing shall be or reside, and such Justice may and he is hereby authorized and required, by warrant under his hand and seal, to cause such officer so refusing or neglecting, and against whom such complaint shall be made, to be brought before him, and upon his appearing, or not being to be found, to hear and determine the matter in a summary way; and if upon the confession of the party, or by the testimony of any credible witness or witnesses upon oath, or upon the testimony of any credible witness or witnesses, being of the people called Quakers upon affirmation (which oath or affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any of the monies that shall have been received by any such officer or person shall remain due from any such officer or person, then such Justice may, and he is hereby authorized and required by warrant under his hand and seal, to cause such money, and

Proceedings to compel Treasurer or other Officer to account with Trustees.

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and all costs, charges and expenses incurred, and to be incurred, thereabouts, to be levied by distress and sale of the goods, chattels and other effects of such officer or person respectively; and if no goods or chattels of such officer or person can be found sufficient to answer and satisfy the said money, and the said costs, charges and expenses of distraining, removing and selling the said goods, chattels and other effects, and all such costs and expenses as aforesaid, or if it shall in manner aforesaid appear to such Justice that such officer or person shall not have rendered such true and perfect accounts signed as aforesaid, or shall have detained any receipts or vouchers, rates, books, papers and writings as aforesaid, then and in each and every of such cases such Justice shall commit every such offender to the common gaol or house of correction of the county, city or place where such offender shall be or reside, there to remain without bail or mainprize until he shall have rendered and delivered, signed as aforesaid, such true and perfect account as aforesaid, and shall have delivered as aforesaid all receipts and vouchers relating thereto, and shall have paid all monies remaining in his hands, or shall have compounded with the said Trustees, or any Five or more of them, for all such monies to their satisfaction, and shall have paid the amount of such composition in such manner as they shall approve, (and which composition the said Trustees are hereby empowered to make and accept), or until he shall have delivered up all such books, papers and writings aforesaid in his custody or power, or shall have given satisfaction in respect thereof to the said Trustees: Provided always, That no such officer or person so committed as aforesaid shall be detained and kept in prison by virtue of any such warrant for any longer space of time than *Twelve* calendar Months.

8. Securities not released by proceedings against Principals.

Provided always, and be it Enacted, That no prosecution or commitment, action or other proceeding, of or against any Treasurer or other officer by the said Trustees appointed, shall in any manner acquit, release or discharge any surety or security that shall or may have been taken by or given to or for the said Trustees for the due and faithful execution of the duties of any such appointment, or for the due and punctual payment and application of the monies received by him or them in pursuance of such appointment, or for the proper observance and performance by him of the duties enjoined on any such Treasurer or other officer by virtue of this Act, nor shall acquit, release or discharge in any manner any person or persons who shall have become bound for him or on his behalf to the said Trustees.

9. Accounts to be kept, and to be open to the inspection of the Trustees at all reasonable times.

And be it Enacted, That the said Trustees shall and they are hereby required from time to time, and at all times during the continuance of this Act, to order and direct a book or books to be provided and kept by their clerk for the time being, in which book or books

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books such clerk shall enter, or cause to be entered, true and regular accounts of all sums of money received, paid, lent out and expended under this Act, and of the several acts, matters and things for which any sums of money shall be disbursed, laid out and paid, which book or books shall at all reasonable times lie open to the inspection of the said Trustees without fee or reward; and the said Trustees shall or may take copies of or extract from the said book or books without paying any thing for the same; and in case the said clerk shall refuse the said Trustees, or any of them, to inspect the same, or take such copies or extracts as aforesaid, such clerk shall forfeit and pay any sum not exceeding Five Pounds, to be levied and recovered in manner in this Act directed.

10. Trustees not to hold office, or be a Contractor.

And be it Enacted, That no Trustee under this Act shall hold any place or office of profit or emolument thereunder, nor enter into any contract with the said Trustees; and if anyperson being such Trustee shall accept any place or office under this Act, or shall enter into or be interested in any contract with the said Trustees, he shall cease to be a Trustee from the time of his appointment to and acceptance of such office or place, or of his entering into or being concerned or interested in such contract, as the case may be, and shall be and remain incapable of acting or being elected to be a Trustee under this Act, whilst he shall continue to hold such place or office, or during the continuance of such contract, as the case may be.

11. Copies of Orders and Bye-laws to be Evidence.

And be it Enacted, That in all proceedings whatsoever, and in all courts of law and equity, and before all magistrates, a copy of any bye-law, order, proceeding or regulation of the said Trustees, certified under the hand of the clerk of the said Trustees to be a true copy, shall be deemed and taken to be sufficient evidence that the bye-law, order, proceeding or regulation so certified was or is the bye-law, order, proceeding or regulation of the said Trustees, as in the said certificate set forth.

12. Trustees to establish Markets for Agricultural Produce, as enumerated, and Butter and Provisions.

And be it Enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from time to time, as they shall think proper, to contract for making, providing, erecting, building, constructing and setting up, in such convenient part or parts as they shall think fit, of any city or town for which they may be appointed, on any land to be purchased or rented by them for that purpose, under the authority of this Act, one or more Market or Markets for the sale of corn, hay, straw, green food for cattle, and dead pigs, and likewise, if they should think proper, for butter, wool, hides and skins, and potatoes, and carcases of beef, and all other agricultural produce respectively, with sheds, stands, offices, and such other buildings, erections and conveniences, of such size, form, materials

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rials and quality, and with such vacant space or spaces, outside the same respectively, as to the said Trustees shall seem fit and proper; and from time to time to enlarge or lessen the number of, or alter, add to, take down, remove and re-erect the said Markets respectively, and all sheds, stands, erections and buildings belonging thereto, as to the Trustees shall seem fit and proper; and when and as soon as the said Markets for corn, hay, straw, green food for cattle, and dead pigs, or any of them, shall be set up, erected and completed, and One Month's notice thereof given by the said Trustees in one or more of the public newspapers of the county or city in which such Market or Markets shall be established, the same or such of them as shall be so erected, and of which such notice shall be so given, shall be the only Market or Markets for the sale of corn, hay, straw, green food for cattle, and dead pigs, or for such of those articles respectively for which such Market or Markets shall be erected, and respecting which such notice shall be given, in, uf or for the city or town in which such Market or Markets shall be established as aforesaid, under the authority of this Act; and it shall not be lawful for any person or persons whomsoever to sell or expose to sale any of such articles respectively within *Two* English Miles of the boundaries of such Market, in any other place or places whatsoever, except in warehouse or shop, upon pain of every person so offending forfeiting for every such offence any sum not exceeding *Five Pounds:* Provided always, That nothing herein contained shall extend, or be construed to extend, to prevent any person or persons from selling or exposing to sale any of the said respective articles, or in his, her or their shop or shops, or other premises, in any part of such city or town.

No Sale to be made, except in Market.

13. Markets to be kept in repair.

And be it Enacted, That it shall be lawful for the said Trustees, and they are hereby authorized at any time or times, and from time to time, to cause the said Market or Markets respectively established under the authority of this Act, and the avenues leading thereto, to be pitched, paved, flagged and repaired or amended, and the pavement and flagging thereof to be taken up and relaid, and the ground thereof to be raised, lowered or altered from time to time, and to cause to be cut or made in, through or over or under the said Market or Markets respectively, and the avenues leading thereto, and in, through, over or under the pavements thereof, any funnels, gutters, sinks, drains or sewers, for carrying the waters from the same respectively, and the same to be altered, varied or changed, as they shall see fit.

14. Rates to be paid on sale of Corn and other Agricultural Produce sold within the Market.

And be it Enacted, That it shall be lawful to and for the said Trustees, and they are hereby authorized and empowered, to ask, demand, collect, receive and take of and from all and every person and persons who shall sell or deliver within the boundaries of any

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Market established under the authority of this Act, any corn, hay, straw, green food for cattle, and dead pigs, any sum or sums of money, not exceeding the rates following; (that is to say) for and upon every Twenty Stone of Wheat, the sum of *Three-pence*; for and upon every Sixteen Stone of Barley, the sum of *Three-halfpence*; for and upon every Fourteen Stone of Oats, the sum of *One Penny*; for and upon every Ton of Hay, Straw, and green Food for Cattle, the sum of *One Shilling* per Ton of Twenty hundred Weight, and so in proportion for any lesser quantity of such respective articles; and for every dead Pig the sum of *Two-pence*.

15. Rates to be paid on Potatoes, Butter, Wool, Hides and Skins, if sold within the Market, by the Seller.

And be it Enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to ask, demand, collect, recover, receive and take of and from all and every person who shall sell within the boundaries of any Market established under the authority of this Act, any potatoes, butter, wool, hides or skins, or carcases of beef, any sum or sums of money, not exceeding the rates following; (that is to say) for and upon every Hundred Weight of Potatoes, the sum of *One Penny*; for and upon every Firkin or Keg of Butter, the sum of *One Penny*; for and upon every Stone of Wool, the sum of *One Penny*; for and upon every Hide or Skin, the sum of *One Penny*; and for and upon every carcase of Beef, the sum of *Four-pence*, and so in proportion for any lesser quantity of any of such respective articles, and such other rates as they may think proper to impose upon any other articles which they may permit to be sold within the boundaries of such Markets.

16. Modes of recovering Rates.

And be it Enacted, That if any person or persons hereby made subject to the payment of any of the said sums, shall, after demand made by the officer or officers of the said Trustees appointed to receive the same, neglect or refuse to pay the same, or any part thereof, it shall and may be lawful to and for the said officer or officers, by himself or themselves, or taking such assistance as he or they shall think necessary, to seize and detain any goods or articles upon or in respect of which any such sums are imposed or made payable, and either to detain such goods or articles so seized and distrained until such sums, with the reasonable charges of such distress and of detaining and keeping the same, shall be paid, or otherwise at any time after *Forty-eight* Hours after the day of making such seizure and distress, at the election of the person or persons so seizing and distraining, to sell all or any of the goods or chattels so seized and distrained, returning the overplus of the money to arise by such sale, and what shall remain unsold, if any, upon demand, to the owner or owners thereof, after such sum or sums of money, and all reasonable charges occasioned by such distress and sale, and of detaining and keeping such goods or articles, shall be deducted.

Provided

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17. Power to alter Rates.

Provided always, and it is hereby Enacted, That it shall be lawful for the said Trustees to reduce all or any of the said rates hereinbefore granted, and made payable to the said Trustees and their successors, and also to advance such rates again in such manner as to the said Trustees shall from time to time seem meet and expedient, so as the said rates when so advanced again do not exceed the rates hereinbefore granted, and the rates so reduced or advanced shall and may from time to time be collected, recovered, and received, by such ways and means as the said original rates hereinbefore granted.

18. Compensation to persons claiming to be entitled to Market Tolls.

And be it Enacted, That it shall be lawful for any corporation, or any person or persons entitled, or claiming to be entitled, to any market toll, or market tolls, in any city or town in which any Market or Markets shall be established under the authority of this Act, to cause an action to be brought upon a feigned issue against the Trustees appointed for the establishment of such Market or Markets, within *Two* calender Months after their appointment by the Grand Jury as aforesaid, and thereupon the said Corporation, or person or persons claiming to be entitled to such market toll or market tolls, shall proceed to a trial at law at the next assizes immediately following, to be held for the county of a city, or county of a town, or county, wherein such Market or Markets shall be established; and after such action shall have commenced, the trustees or defendants in such action shall and they are hereby required to name an attorney who shall appear thereto, and accept of an issue or issues whereby such right or claim may be tried and determined (such issue or issues to be settled by the proper officer of the court in which such action shall be commenced in case the parties shall differ about the same), and the verdict shall state what annual sum or sums of money, if any, or what proportion of the net produce of the rates hereby authorized to be levied by such Trustees shall, after they commence the receipt thereof under the authority of this Act, be paid by them annually to such corporation, person or persons, respectively, and to their successors, executors, administrators, and assigns (as the case may be) as compensation for the loss of such market toll, or market tolls to which they, or either of them, shall prove right and title to the satisfaction of such jury, and which verdict shall be final, binding and conclusive, upon all persons whomsoever, unless the court wherein such action shall be brought shall set aside such verdict, and order a new trial to be had thereon, which it shall be lawful for the court to do; and after such verdict shall be obtained, and not set aside by the court, the said Trustees and their successors shall, and they are hereby required, to act in conformity thereto, and to make such annual payments for compensation of loss of market toll or market tolls as by the event of such trial may be ascertained and determined; and they are also hereby authorized and empowered to purchase and extinguish such

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annual payment for such principal sum or sums of money as the party or parties entitled to the same may at any time think proper to receive for the sale thereof.

19. Appointment of Auditors, and publication of annual Accounts of the Trustees.

And he it Enacted, That the grand juries of every county of a city, county of a town, and county, in which a Market or Markets shall he established under the authority of this Act, at every Spring Assizes shall appoint for each city or town Two Auditors, to examine and audit the accounts to be kept by the several Trustees of each of such Market or Markets, to examine into the application and expenditure of the money to be received by them, and ascertain the correct amount of the net produce thereof, and that such accounts, when audited, together with the report of the Auditors, shall he annually printed, and a general abstract of such accounts shall be also published in some one or more newspaper or newspapers of the city or county in which such Market shall he situated.

20. Agricultural Produce to be weighed in the Market, and paid for without any allowances or deductions whatsoever.

And he it Enacted, That the said Trustees shall erect and appoint weighing places within the said Market or Markets, for weighing such corn, hay, straw, green food for cattle, dead pigs, potatoes, butter, wool, hides and skins, carcases of beef, and other agricultural produce, as shall he bought or sold therein, and shall keep good and sufficient weights and scales, and appoint a clerk or clerks of the said Market or Markets, or some other sufficient person or persons to attend therein; and that all corn, hay, straw, green food for cattle, dead pigs, potatoes, butter, wool, hides and skins, carcases of beef, and other agricultural produce, sold in the said Markets, shall be weighed in or hy the said weights and scales, and paid for at their just weights, without any allowances or deductions from their actual weights of any kind whatsoever.

21. After the 1st January 1845, all farming produce to be weighed without any allowances or deductions whatsoever, under a penalty of 5 *l.*

And be it Enacted, That after the First day of January, which will be in the year of our Lord *One thousand eight hundred and Forty-five*, all sales which shall be made in Ireland by any person or persons whatsoever, of any corn, potatoes, hay, straw, green food for cattle, carcases of beef, dead pigs, butter, wool, hides and skins, shall he made for the following weights and proportions thereof respectively: (that is to say) of wheat, for the barrel of Twenty stones; of harley, for the harrel of Sixteen stones; of oats, for the barrel of Fourteen stones; of potatoes, for the weight of Twenty-one pounds, or for the Stone of Fourteen pounds; of hay, straw, green food for cattle, carcases of beef, dead pigs, butter, and hides, and skins, for the hundred weight of One hundred and twelve ponnds, or for the ton of Twenty of such hundred weight; and of wool, for the Stone of Fourteen pounds, all imperial standard weight; every one of which articles shall be weighed and paid for at their just weights, without any allowances or deductions from

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from their actual weights of any kind whatsoever; and any person taking any such allowance or deduction, with or without the consent of the seller, or buying or selling any of such articles by any weights different from those herein specified, shall forfeit and pay such sum or sums of money, not exceeding the sum of *Five Pounds*, as any Justice of the Peace for the county or city in which any of such offences shall be committed shall in that behalf direct, and also such further sums of money, as compensation for any such deductions, allowances, or substitution of weights, as the said Justice or Justices shall in that behalf award.

22. Trustees to appoint Sales-masters, and make Bye-laws for the regulation of the Markets.

And be it Enacted, That it shall be lawful for the said Trustees from time to time to direct and appoint what particular respective parts of any of the said Market or Markets shall be occupied and made use of for exposing to sale any particular matter, and to direct the order and arrangement thereof, and to appoint a sales-master or sales-masters for the sale of every article sold in such Market or Markets; and also from time to time to make, constitute and appoint, establish and ordain, such rules, orders and bye-laws, and to impose reasonable fines and penalties for the breach and non-performance of such orders, regulations and bye-laws, so as no penalty do exceed *Five Pounds*; which fines and penalties shall be recovered and levied as other fines, penalties and forfeitures by this Act imposed are hereby directed to be recovered and levied; and all rules, orders and bye-laws so to be made as aforesaid, being reduced to writing, and entered in a book to be kept for that purpose, shall be binding upon, and be observed by, every person entering the limits or approaches of said Market or Markets, for any purpose whatsoever, and shall be sufficient in any court of law or equity to justify all persons who shall act upon the same, provided that such bye-law or bye-laws so to be made or changed be not repugnant to the laws of that part of the United Kingdom of Great Britain and Ireland called Ireland, or to any of the provisions and directions in this Act contained; and all such bye-laws shall be painted on boards, in white letters on a black ground, and put up and affixed in some conspicuous place in the said Markets respectively, and from time to time shall be removed and replaced when and as often as the same shall be altered, obliterated or defaced.

23. Penalty for defacing copies of Bye-laws.

And be it Enacted, That if any person or persons shall at any time hereafter wilfully pull down, destroy, obliterate or deface the copy or copies of such rules, order, regulations or bye-laws, as shall be so affixed as aforesaid, or any of them, such person or persons shall for every such offence forfeit and pay to the use of the said Trustees any sum not exceeding *Five Pounds*.

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24. No person other than a Salesmaster appointed by Trustees, or other legal Governors, to act as Broker after 1st January 1845, under a penalty of 5*l.* in any Market in Ireland.

And be it Enacted, That after the First day of January which will be in the year of our Lord *One thousand eight hundred and Forty-five*, if any person or persons, other than the owner or owners, of any article exposed or offered for sale in any Market or Markets now or hereafter established in any city or town in Ireland (excepting only a salesmaster or salesmasters duly appointed by the Trustees or other person or persons legally entrusted with the government and regulation of such Market), shall exercise therein any interference as broker or agent between the buyer and seller for the sale of any such article, such person or persons for every such offence shall forfeit and pay to the use of the Trustees, or other governor or governors of such Market, any sum not exceeding *Five Pounds*, as any Justice or Justices of the Peace for the county or city in which any of such offences shall be committed, shall direct.

25. Every person delivering Corn, &c. within the limits of the authority of the Trustees to produce receipt for Rates when required.

And be it Enacted, That it shall be lawful for any of the officers or servants of the said Trustees to require from every person delivering any corn, hay, straw, green food for cattle, or dead pigs, at any place whatsoever within *Two* Miles of the boundaries of any Market or Markets established under the authority of this Act, a receipt for the market rates hereby made chargeable upon any of such articles, and, in case of non-production thereof, to seize, detain and remove the same, and either to detain such articles so seized and distrained until such rates, with the reasonable charges of such distress and removal, and of detaining and keeping the same, shall be paid, or otherwise at any time after *Forty-eight* Hours after the day of making such seizure and distress, at the election of the person or persons so seizing and distraining, to sell all or any of the articles so seized and distrained, returning the overplus of the money to arise by such sale, and what shall remain unsold, if any, upon demand, to the owner or owners thereof, after such sum or sums of money, and all reasonable charges occasioned by such distresses and sale, and of detaining, removing and keeping such articles, shall be deducted.

26. Such places to be provided for unsold Corn, &c., to remain in as to the Trustees shall seem fit.

And be it Enacted, That it shall and may be lawful to and for the said Trustees to provide within the said Markets respectively such place or places for the safe keeping of any corn, hay, straw, green food for cattle, potatoes, butter, hides and skins, and carcases of beef, and dead pigs, which may remain unsold, as to the said Trustees shall seem fit and proper, and to permit the owner or owners, if any, of such articles to deposit the same in such place or places, for such time or times, as may be found necessary or convenient, and there shall be paid to the said Trustees for the use of such place or places, for such time or times as may be found necessary or convenient, such sum or sums as shall be mutually agreed upon between the said Trustees, their officer or officers, and the person or persons so depositing the said

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said articles respectively in such place or places; and the sum or sums so to be paid shall be recoverable and recovered in like manner as is hereinbefore appointed with respect to the rates or duties payable to the said Trustees.

27. No Fees to be taken by any officer of the Trustees, under a penalty of 50*l.*

And be it Enacted, That in case any officer or officers to be employed by the said Trustees for any of the purposes of this Act, shall exact or demand from any person or persons whatsoever any fees, emoluments or other perquisites, in the execution of the duties of his office, other than the salary or emoluments allowed to him by the said Trustees, every such officer shall repay the sum or sums so unlawfully received to the person or persons who shall have paid the same, and shall be for ever incapable of serving or being employed under this Act in any office or employment of emolument, and shall over and above forfeit and pay any sum not exceeding *Fifty Pounds* by way of penalty, for every such offence.

28. Disputes and differences to be settled by One or more Justices of the Peace.

And be it Enacted, That if any dispute or difference shall arise about the quantity of the rates due, or respecting the costs and charges of distraining, keeping or selling any distress, or respecting any other matter or thing whatsoever intended to be provided for under the authority of this Act, such dispute shall be settled and determined by any one or more Justice or Justices of the Peace for the county or city in which such dispute or difference shall arise, who, upon application made to him or them for that purpose, shall examine the said matter by oath of the parties, or witness or witnesses, and shall determine the quantities of rates due, and shall also assess the costs and charges of such distress and sale, and all other reasonable costs and charges relating to any of such disputes, all which sum or sums of money so determined and assessed, shall be paid to the officer or collector of the said Trustees before he shall be obliged to return the distress, or the overplus, after the sale thereof, or any part thereof.

29. Trustees may purchase or take leases of land and houses.

And be it Enacted, That it shall and may be lawful to and for the said Trustees and they are hereby authorized and empowered to contract and agree with the owners and occupiers of and other persons interested in any houses, buildings, messuages, lands, tenements or hereditaments, which they shall think necessary and proper, for the purpose of erecting such Market or Markets, sheds, stands, offices and other buildings, erections and conveniences, as aforesaid, or for approaches or avenues leading thereto, or for enlarging the same, or rendering the avenues or approaches thereto or towards the same more convenient, direct or commodious, or for the purchase or taking at rent all or any part or parts of such houses, messuages, buildings, lands, tenements or hereditaments.

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30. Application of Rates.

And be it Enacted, That out of the monies which shall come to the said Trustees hy virtue of this Act, they shall from time to time pay and discharge the purchase-monies of such houses, buildings, messuages, lands, tenements or hereditaments, as may he purchased as aforesaid, and the rents of such houses, buildings, messuages, lands, tenements or hereditaments, as may be rented, and the interest and principal of the mnney tn he horrnwed (as shall be agreed upon hetween the said Trustees and the lenders of such sum and sums), and the charges and expenses of carrying this Act into execution, in such manner as the said Trustees shall think proper; and the sum or sums of money as mny he directed by the verdict of any Jury tn he paid to any corporation, person or persons, as compensation fnr sucb market tolls as any of such parties may be deprived of under the authority of this Act.

31. Trustees may borrow Money at Interest.

And be it Enacted, That it sball and may be lawful for the Trustees of any Market or Markets established under the authority of this Act, and their successors, tn borrow and take up at interest from time to time such sum or sums of money, not exceeding in the whole the sum of *Twenty thousand* Pounds, for the purposes of this Act, upon tbe credit of the rates to be levied, collected and raised, and to be payable to the said Trustees by virtue of this Act, and by writing under the hands of *Five* of the said Trustees to assign all or any part of the said rates to such person or persons as shall lend or advance any money thereon, or to bis or their trustee or trustees, as a security for tbe principal money to he advanced, witb interest thereon; and the costs and expenses of such assignment thereof to be made as hereinbefore mentioned, st all, from time to time, be defrayed by the said trustees out of the monies to be so horrowed; and every such assignment shall he in the words or to the effect following:

Form of Assignment to a Lender.

"WE, the Trustees of Markets for the , appointed by or in pursuance of an Act made in the eighth year of the reign of Queen VICTORIA, intituled, "An Act for the Establishment and Regulation of Markets for the Sale of Corn and other Farming Produce, in the Cities and Towns of Ireland," in consideration of the sum of advanced and lent by of upon the credit and fnr the purposes of the said Act, do hereby grant and assign unto the said bis executnrs, administrators and assigns, such proportion of the rates payable to us hy virtue of the said Act as the said sum of doth or shall bear to the whole sum which may at any time be borrowed or become due or owing, or be charged upon the credit of the said Act, to be holden from this day of until the said sum

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sum of with interest at the rate of per centum per annum for the same, shall be repaid and satisfied. In witness whereof, we, the said Trustees, have hereunto set our hands and seals the day of in the year ."

and every such security shall be good, valid and effectual, and shall entitle the person or persons to whom the same shall be made, his, her or their executors, administrators and assigns, to the payment thereof, and to all profit and advantage thereon, according to the true intent and meaning of this Act.

32. Securities may be assigned.

And be it further Enacted, That it shall and may be lawful to and for any person or persons entitled to any of the securities for the money to be borrowed at interest as aforesaid, and their respective executors, administrators and assigns (as the case may be), at any time by writing under their hands and seals, to transfer such securities to any person or persons whomsoever, which transfer may be in the words or to the effect following:

Form of Transfer.

"I, being entitled to the sum of secured to and his assigns [or, his executors, administrators or assigns, as the case may be], by virtue of an assignment, bearing date the day of under the hands of the Trustees for Markets of acting in the execution of an Act of Parliament made in the year of the reign of Queen VICTORIA, intituled, 'An Act for the Establishment and Regulation of Markets for the Sale of Corn and other Farm Produce, in the Cities and Towns of Ireland,' upon the credit of the rates payable to the said Trustees under the said Act, do hereby transfer all my right and title in and to the said sum, and all interest and other money now due and owing thereon, unto , his executors, administrators and assigns. Dated this day of

and every such assignment shall be good, valid and effectual in law to all intents and purposes.

33. Trustees may borrow on any other Securities from persons empowered by the authority of Parliament or otherwise to lend.

Provided nevertheless, and be it further Enacted, That in case the said Trustees appointed under this Act, or their successors, shall be minded or desirous to borrow or take up at interest all or any part of the money hereby authorized to be borrowed from any person or persons empowered by the authority of Parliament or otherwise to lend the same upon a security or securities of a different form or description from the securities hereinbefore set forth, it shall and may be lawful to and for the said Trustees to seal, execute and deliver such

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other security or securities, and they and each of them shall be good, valid and effectual in law.

34. Bodies politic and others may sell Market Tolls, Houses, &c.

And be it Enacted, That it shall and may be lawful to and for all bodies politic, corporate or collegiate, ecclesiastical or civil, corporations whether aggregate or sole, tenants for life or in fee-tail, general or special, or for any term or terms for lives or years, or for years determinable upon any life or lives, and all husbands, guardians, trustees, feoffees in trust for charitable and other purposes, committee of lunatics or idiots, executors and administrators, and all other trustees and persons whomsoever, though under any legal disability or incapacity, not only on behalf of themselves, their heirs, executors, administrators and successors, but also for and in behalf of their cestuique trusts, whether infants, issue unborn, lunatics, idiots, femes covert or other person or persons, and to and for all femes covert who are or shall be seised, possessed of or interested in their own right or entitled to dower or other interests therein, and for every other person or persons whomsoever who is or shall be seised, possessed of or interested in or entitled to any estate or interest whatsoever in any market tolls, houses, buildings, messuages, lands, tenements or hereditaments, or having or claiming to have any charge, lien or incumbrance thereon, to contract for and agree with the said Trustees or their successors for a lease or leases, or for the sale thereof, or any part thereof, and for the purchase of all or any estate, rights, titles, terms and interest whatsoever of and in the same to the said Trustees or their successors, and to demise, convey or assign the same respectively unto the said Trustees or their successors, and that all contracts, agreements, leases, bargains, sales and conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any fine or fines, recovery or recoveries, or other conveyances or assurances in the law whatsoever, be good, valid and effectual to all intents and purposes, not only to convey the estate and interest of the person conveying, but also to convey all right, title, estate, interest, use, property, claim and demand whatsoever of their several cestuique trusts, and all persons claiming or to claim by, from or under them, or any of them; any law, statute, usage or other matter or thing whatsoever to the contrary thereof in anywise notwithstanding.

35. If parties cannot agree, price to be settled by a Jury.

And be it Enacted, That if any such body politic, corporate or collegiate, ecclesiastical or civil, trustees, feoffees, guardians, committees, executors, administrators, or any owners, proprietors or occupiers, or any other person or persons having or claiming to have any estate, title, term or interest in or to such messuages, lands, tenements, grounds, hereditaments or premises, as aforesaid, which the said Trustees are, by the aforesaid Acts, or any of them, or by this Act, enabled to purchase for all or any of the several purposes thereof

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thereof, or having or claiming to have any charge, lien or incumbrance thereon, shall not agree with the said Trustees, or their successors, for the sale and conveyance of their respective rights, term and interests therein, or shall not produce or evince a clear title to such estate, right, title, term or interests, as they shall or may claim, or if the said Trustees, or their successors, shall be ignorant who are entitled to the same, then and in every or any of such cases it shall and may be lawful to and for the said Trustees, or their successors, and they are hereby empowered and authorized, from time to time, to issue a warrant or warrants, precept or precepts, to the sheriff or sheriffs of the county or city in which such disagreement or other difficulty shall arise, who are hereby authorized, directed and required accordingly to impannel and summon and return a competent number of substantial persons qualified to serve on juries, not less than Forty, nor more than Sixty; out of which persons so to be impannelled, summoned and returned, a jury of Twelve Persons shall be drawn by some person to be by the said Trustees, or their successors, appointed in such manner as juries for the trial of issues joined in Her Majesty's Four Courts at Dublin, by an Act made in Ireland in the twenty-ninth year of his late Majesty King GEORGE the Second, intituled, "An Act for the better Regulating Juries," are directed to be drawn; which persons so to be impannelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Trustees, or any Three or more of them, at any time and place as in such warrant or warrants, precept or precepts, shall be directed and appointed, and to attend the said Trustees, or any Three or more of them, until discharged by them; and all persons concerned shall and may have their lawful challenges against any of the said jurymen, but shall not be at liberty to challenge the array.

36. When deficiency of Jurors, others to be impannelled &c.

And be it Enacted, That in all cases of trials by juries before the said Trustees, or any Three or more of them, where a full jury shall not appear before them, or where, after the appearance of a full jury, it shall so happen, either by means of challenges or otherwise, that there shall be a default of Twelve Jurors for such trial, it shall and may be lawful to and for the said Trustees, or any Three or more of them, to command the Sheriff or Sheriffs of the county or city in which default shall arise, to impannel so many other persons as shall make up a full jury of Twelve, which persons so to be impannelled shall be added to the former panel; and all parties interested in such trials shall have their challenges to the jurors so added to the former panel as if they had been originally summoned; and the said Trustees, or any Three or more of them, are hereby authorized and empowered, by precept or precepts, from time to time, as occasion shall require, to call before them, on their oath or oaths, touching or concerning the premises; and the said Trustees, or any Three or more of them,

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them, if they shall think fit, shall and may authorize and require the said jury, or any Six or more of them, to view the said messuages, lands, tenements, grounds, hereditaments or premises to be valued; and the said Trustees and their successors, or any Three of them, shall have power to adjourn such meeting from day to day, and place to place, as occasion shall require, and to command such juries, witnesses and parties to attend until the business for which they shall be so summoned by virtue of this Act shall be concluded; and the said jury shall, upon their oaths (which oaths, as also the oaths to such person or persons as shall be called upon to give evidence, the said Trustees, or any Three or more of them, are hereby required and empowered to administer), fairly, truly and impartially inquire of the value of such messuages, lands, tenements, grounds, hereditaments or premises, and of the respective estate, right, title, term and interest of every person or persons seised or possessed thereof or interested therein, or of or in any part thereof, and shall assess or award the sum or sums to be paid to every such person or persons for the purchase of such their respective estates, rights, titles, terms and interests therein; and if it shall not be made to appear to the said jurors who is or are entitled to the respective estates, rights, titles or interests, which may be subsisting therein respectively, then it shall and may be lawful to and for the said jury to inquire, ascertain and find the value of such messuages, lands, tenements, grounds, hereditaments or premises, or any of them, as of an estate in fee-simple, without specifying the person or persons entitled to the same respectively; and the said Trustees, or any Three or more of them, shall and may give judgment for such sum and sums so to be assessed, awarded, ascertained or found, as and for the value of the said several estates, rights, titles, terms and interests in the said messuages, lands, tenements, grounds, hereditaments or premises, or any of them, and for the payment thereof respectively, in manner hereinafter mentioned, which said verdict or verdicts and the said judgments thereupon respectively (notice in writing being first given to the person or persons interested, at least *Fourteen* Days before the time of the first meeting of the said jury, declaring the time and place of such meeting of the Trustees and jury, by leaving such notice at the dwelling-house of such person or persons, or at his, her or their several place or places of abode, or with some tenant or occupier of such messuages, lands, tenements, grounds, hereditaments or premises intended to be valued or assessed, if the same be occupied; and if the same be not occupied, and that the person or persons having or claiming to have any estate or interest therein, or any right or title thereto, shall not be known or cannot be found by the said Trustees, then such notice being published in the "Dublin Gazette") shall be binding and conclusive to all intents and purposes whatsoever against all bodies politic or corporate, infants, lunatics, idiots, feme coverts and persons under any legal disability, and against all and every person or persons whatsoever,

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soever, his, her or their heirs, successors, executors and administrators, having or claiming to have any estate, right, trust, use or interest in, to or out of the said messuages, lands, tenements, grounds, hereditaments or premises, either in possession or reversion, remainder or expectancy, or in any manner whatsoever, or any charge, lien or incumbrance thereon, which said judgments respectively of the said Trustees or their successors, being fairly written on parchment, and signed by Five of the said Trustees, and sealed with their respective seals, and being entered in the Rolls of Her Majesty's High Court of Chancery in Ireland, or true copies thereof, shall be deemed and taken to be good evidence of the several matters therein set forth in any court of law or equity whatsoever.

Judgments to be enrolled in the Court of Chancery.

37. Fines may be imposed on Sheriffs, Jurors or Witnesses.

And be it Enacted, That it shall and may be lawful to and for the said Trustees, or any Three or more of them, from time to time to impose any reasonable fine, not exceeding Ten Pounds, on the Sheriff or Sheriffs, his or their deputy or deputies, bailiffs or agents respectively, who shall make default in the premises; and on any person or persons summoned and returned upon such jury as aforesaid who shall not appear, or appearing shall refuse to be sworn or to give his or their verdict, or in any other manner wilfully neglect his or their duty, contrary to the true intent of this Act, having no reasonable excuse to be allowed by the said Trustees, and also on any witness or witnesses who shall not attend being summoned, after having been paid or tendered a reasonable sum for his, her or their costs and expenses, to give evidence as aforesaid, or who shall appear and refuse to be sworn, or being sworn shall refuse to give evidence, and from time to time to levy such fine or fines by virtue of any warrant under the hands and seals of the said Trustees, or any Three or more of them, by distress and sale of the goods and chattels of the person or persons so offending, rendering to him or them the overplus after such penalty and the charges of such distress and sale shall be deducted; and all such fines, so recovered, shall be applied towards the purposes of this Act.

38. Trustees may discharge Juries.

And be it Enacted, That it shall and may be lawful to and for the said Trustees, or any Three or more of them, from time to time to discharge such juries as shall be returned to try any matters before them as aforesaid, and from time to time to issue a new warrant or precept for the return of another jury or juries, in manner hereinbefore directed; and all and singular the clauses hereinbefore mentioned shall be applicable to the proceedings under such further or other warrant or precept as fully and effectually as the same shall be applicable to the warrant or precept first issued by the said Trustees.

39. Persons swearing

And be it Enacted, That all persons who shall, in any examination to be taken upon oath by virtue of this Act, wilfully and corruptly

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falsely may be prosecuted.

ruptly give false evidence, or otherwise forswear themselves before such jury, or any Justice of the Peace acting as such in the execution of this Act, shall and may be prosecuted for the same, and upon conviction thereof shall be subject to the same pains and penalties as persons guilty of *wilful and corrupt Perjury* are by the laws in being subject and liable to.

40. How Expenses of Jury to be paid.

And be it Enacted, That in case any jury shall give in or deliver a verdict or assessment for more money, as a recompense for the right, interest or property of any person or persons in any messuages, lands, tenements, grounds, hereditaments and premises, or for any loss or damage to be by him, her or them sustained, than what shall have been agreed to and offered by the said Trustees, or their Treasurer, Clerk, Surveyor or other known agent, before the summoning and returning of the jury, as a recompense and satisfaction for any such right, interest, property, loss or damage as aforesaid, that then and in such case the cost and expenses of summoning and maintaining the jury and witnesses shall be borne and paid by the Treasurer to the said Trustees out of the money to arise by virtue of this Act; and in case such costs and expenses shall not be paid to the party or person entitled to receive the same within Fourteen Days after the same shall be demanded, then the same may and shall be levied and recovered by distress and sale of any goods or chattels vested in the said Trustees, or of any goods or chattels of the Treasurer to the said Trustees, under a warrant to be issued for that purpose by any Justice of the Peace for the county or city in which such verdict shall be given, which warrant any such Justice is hereby authorized and empowered to issue under his hand and seal, on application made to him for that purpose by the party or persons entitled to receive such costs and expenses; but if such jury shall give in and deliver a verdict or assessment for no more or for less money than shall have been agreed to and offered by the said Trustees before the summoning and returning the said jury, as a recompense or satisfaction for any such right, interest, property, loss or damage as aforesaid, that then the full costs and expenses of summoning and maintaining the said jury and witnesses, and all other expenses attending the hearing and determining of such difference, shall be borne and paid by the person or persons with whom the said Trustees shall have such controversy or dispute, which said costs and expenses, having been ascertained and settled by some Justice of the Peace for the county or city in which such difference shall have arisen not personally interested in the matter in question (who is hereby required to examine and settle the same at a time and place to be by him appointed, after summoning the parties interested therein to attend him for that purpose), shall and may be deducted out of the money so assessed and adjudged as so much money advanced to and for the use of such person or persons;

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and the payment or tender of the remainder of such money shall be deemed and taken, to all intents and purposes, to be a payment and tender of the whole sum or sums so assessed and adjudged, or otherwise such costs and expenses, in case the same be not paid upon demand, after being so ascertained and settled as aforesaid, shall and may be recovered by the Clerk to the said Trustees by such ways and means as are hereinafter provided for recovery of penalties and forfeitures: Provided always, That in all cases where any person shall, by reason of absence, have been prevented from treating, such costs and expenses shall be borne and paid by the said Trustees out of the money to be raised or received under or by virtue of this Act.

41. Application of Compensation, when amounting to or exceeding 200*l.*

And be it Enacted, That if any money shall be agreed or awarded to be paid for any messuages, lands, tenements, grounds, hereditaments or premises, or for any other matter, right or interest, of what kind or nature soever, purchased, taken or used by virtue of the powers of the said recited Acts, or any of them, or of this Act, for the purposes thereof, which shall belong to any corporation, feme covert, infant, lunatic, or other person or persons under any disability or incapacity, as hereinbefore mentioned, such money shall, in case the same shall amount to or exceed the sum of Two hundred Pounds, with all convenient speed, be paid into the Bank of Ireland, in the name and with the privity of the Accountant-general of the High Court of Chancery, to be placed to his account, ex-parte the "Trustees for Markets for the city or town in which such money shall have been agreed or awarded to be paid," to the intent that such money shall be applied under the direction and with the approbation of the said Court, to be signified by an order made upon a petition to be preferred in a summary way, if the person or persons who would have been entitled to the rents and profits of the said messuages, lands, tenements, grounds, hereditaments and premises shall so desire, towards the discharge of any debt or debts, or such other incumbrance, or part thereof, as the said Court shall authorize to be paid, affecting the same messuages, lands, tenements, grounds, hereditaments or premises, or affecting other messuages, lands, tenements, grounds, hereditaments or premises standing settled to the same or the like uses, intents or purposes; or where such money shall not be so applied, then the same shall be laid out and invested, under the like direction and approbation of the said Court, in the purchase of other messuages, lands, tenements, grounds, hereditaments or premises, which shall be conveyed to, for and upon such and the like uses, trusts, intents and purposes, and in the same manner as the messuages, lands, tenements, grounds, hereditaments or premises which shall be so purchased, taken or used as aforesaid stood settled or limited, or such of them as at the time of making such conveyance and settlement shall be existing undetermined,

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mioed, and capable of taking effect, and in the meantime, and until such purchase shall be made, the said money shall, by order of the said Court of Chancery, upon application thereto, be invested by the said Accountant-general in his name in the purchase of Government stock, and in the meantime and until the said stock shall be ordered by the said Court to he sold for the purposes aforesaid, the dividends and anoual produce thereof shall, from time to time, be paid, by order of the said Court, to the person or persons who would for the time being have been entitled to the rents and profits of the said messuages, lands, tenements, grounds, hereditaments or premises, so hereby directed to be purchased, in case such purchase or settlement were made.

42. When Compensation is less than 200*l.* and exceeds 20*l.*

Provided always, and he it Enacted, That if any money so agreed or awarded to be paid for any messuages, lands, tenements, grounds, hereditaments or premises purchased, taken or used for the purposes aforesaid, and helonging to any corporation, or to any other person or persons under any disability or incapacity as aforesaid, shall be less than the sum of Two hundred Pounds, and shall exceed the sum of Twenty Pounds, then and in all such cases the same shall, at the option of the person or persons for the time being entitled to the rents and profits of the messuages, lands, tenements, grounds, hereditaments or premises so purchased, taken or used, or of his, her or their guardian or guardians, committee or committees, in case of infancy or lunacy, to be signified in writing under their respective hands, be paid into the Bank of Ireland in the name and with the privity of the said Accountant-general of the Court of Chancery, and be placed to his account as aforesaid, in order to be applied in manner hereinhefore directed, or, otherwise, the same shall be paid, at the like option, to Three Trustees, to be nominated by the person or persons making such option, and approved of by Five or more of the Trustees of the Market for the use of which such money shall have been agreed or awarded to be paid (such nomination and approbation to be signified in writing under the hands of the nominating and approving parties), in order that such principal money, and the dividends arising thereon, may be applied in manner hereinbefore directed, so far as the case he applicable, without obtaining or being required to ohtain the direction or approbation of the Court of Chancery.

43. Where less than 20*l.*

Provided always, and be it Enacted, That where auch money so agreed or awarded to he paid as hereinbefore mentioned shall be less than Twenty Pounds, then and in all such cases the same shall be applied to the use of the person or persons who would for the time being have been entitled to the rents and profits of the messuages, lands, tenements, grounds, hereditaments or premises so purchased,

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taken or used for the purposes of this Act, in such manner as the said Trustees, or any Five or more of them, shall think fit; or, in case of infancy or lunacy, then to his, her or their guardian or guardians, committee or committees, to and for the use and benefit of such person or persons so entitled respectively.

44. In case of not making out good Title.

And be it Enacted, That in case the person or persons to whom such sum or sums of money shall be so ordered to be paid as aforesaid shall not be able to make a good title to the premises to the satisfaction of the said Trustees, or shall refuse to execute such conveyance or conveyances, or in case such person or persons to whom such sum or sums of money shall be so ordered to be paid as aforesaid cannot be found, or if the person or persons entitled to such messuages, lands, tenements, grounds, hereditaments or premises be not known or discovered, or if, by reason of disputes or differences, or for defect of evidence, it shall not appear to the said Trustees or jury what person or persons is or are entitled to the premises in question, then and in every such case it shall be lawful for the said Trustees to order the said sum or sums so awarded to be paid into the Bank of Ireland, in the name and with the privity of the Accountant-general of the Court of Chancery, to be placed to his account to the credit of the parties interested in the said messuages, lands, tenements, grounds, hereditaments or premises (describing them), subject to the order, control and disposition of the said Court, which said Court, upon the application of any person or persons making claim to such sum or sums of money, or any part thereof, by motion or petition, shall be and is hereby empowered, in a summary way of proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the public Funds, and to order distribution thereof, or payment of the dividends thereof, according to the respective estate or estates, titles or interests of the person or persons making claim thereunto, and to make such other order in the premises as to the said Court shall seem just and reasonable.

45. In case of disputed Titles.

Provided always, and be it Enacted, That when any question shall arise touching the title of any person or persons to any money to be paid into the Bank of Ireland, in the name and with the privity of the Accountant-general of the Court of Chancery, in pursuance of this Act, for the purchase of any messuages, lands, tenements, grounds, hereditaments or premises, or of any estate, right, title or interest in any messuages, lands, tenements, grounds, hereditaments or premises to be purchased in pursuance of this Act, or to any Government stock to be purchased with any such money, or to the dividends or interests of any such stock, the person or persons who shall have been in possession of such messuages, lands, tenements, grounds, hereditaments or premises at the time of such

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purchase, and all persons claiming under such person or persons, or under the possession of such person or persons, shall be demed and taken to have been lawfully entitled to such messuages, lands, tenements, grounds, hereditaments or premises according to such possession, until the contrary shall be shown to the satisfaction of the said Court of Chancery; and the dividends or interest of the stock to be purchased with such money, and also the capital of such stock, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such possession was a wrongful possession, and that some other person or persons was or were lawfully entitled to such messuages, lands, tenements, grounds, hereditaments or premises, or to some estate or interests therein.

46. Court may order reasonable Expenses to be paid by Trustees.

Provided also, and be it Enacted, That where, by reason of any disability or incapacity of the person or persons or corporation entitled to any such messuages, lands, tenements, grounds, hereditaments or premises to be purchased under the authority of the said recited Acts, or of this Act, the purchase-money for the same shall be required to be paid into the said Court of Chaucery, and to be applied in the purchase of other messuages, lands, tenements, grounds, hereditaments or premises, to be settled to the like uses in pursuance of this Act, it shall be lawful for the said Court to order expenses of all purchases from time to time to be made in pursuance of this Act, or so much of such expenses as the said Court shall deem reasonable, together with the necessary costs and charges of obtaining such order, to be paid by the said Trustees, who shall from time to time pay such sum or sums of money for such purposes as the said Court shall direct.

47. Form of Conveyance.

And be it Enacted, That all sales, cooveyances and assurances of all messuages, lands, tenements, grounds, hereditaments and premises to be made to the said Trustees and their successors, shall be made in the form and to the effect following; (that is to say)

"I [or, we, as the case may be], of
in consideration of the sum of
to me, [or, us], paid by the Trustees for Markets in the
do hereby grant and release [or, assign, as the case may be] to the said Trustees and their successors all [here describe the premises to be conveyed], and all my [or, our] right, title and interest in and to the same and every part thereof, to hold to the said Trustees and their successors for ever [or, as the case may be] during all the remainder of my [or, our] term, estate and interest in the said premises. In witness whereof, I [or, we] have hereunto set my hand and seal [or, our hands and seals] this
day of in the year of our Lord ."

and,

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and every such sale, conveyance and assurance so made shall be good, valid and effectual to all intents and purposes whatsoever, as to and against the person or persons making the same, and his, her or their cestuique trusts, and all other persons claiming or to claim by, from, under or in trust for him, her or them respectively, or in remainder, reversion or expectancy as aforesaid, and the same shall be deemed and construed to bar the dower and dowers of the wife and wives of such person or persons, and all estates tail and other estates in possession, reverson, remainder or expectancy, and the issue and issues of such person or persons claiming under them, as effectually as fines or common recoveries would do if levied or suffered by the proper parties in due form of law; any law, statute, usage or custom to the contrary thereof notwithstanding.

48. On payment or tender of money Trustees may enter.

And be it Enacted, That upon payment or tender of such sum or sums of money as shall have been contracted or agreed for between the parties, or assessed by any jury or juries in manner aforesaid, for the purchase of any such messuages, lands, tenements, grounds, hereditaments or premises, to the proprietor or proprietors of such lands and premises, or such other person or persons as shall be interested therein, or entitled to receive such compensation, or if the person or persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good title to, or shall refuse to execute a conveyance or conveyances of the premises which shall be required for the purposes of this Act, then, upon payment of the said sum or sums of money into the Bank of Ireland, as hereinbefore directed and required, for the use of such person or persons so interested or entitled as aforesaid, or paying the same as otherwise hereby directed, it shall be lawful for the said Trustees and their agents, servants or workmen, immediately to enter upon such messuages, lands, tenements, grounds, hereditaments or other premises respectively, and then and thereupon the messuages, lands, tenements, grounds, hereditameots and premises, and the fee-simple and inheritance thereof, together with the yearly profits thereof, and all the estate, use, trust and interest of any person or persons therein, shall from thenceforth become vested in and become the sole property of the said Trustees, to and for the purposes of this Act for ever; and such tender, payment or investiture shall not only bar all right, title, interest, claim and demand of the person or persons to whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the dower of the wife of every such person, and all estates tail and other estates in reversion and remainder of his, her and their issue, and of every other person whomsoever therein.

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49. Houses, &c. not to be taken without consent of Owners if used as Garden, Orchard, Yard, park or planted walk, &c.

Provided always, and be it Enacted, That nothing in this Act contained shall extend to authorize or empower the said Trustees, or any person or persons, to take, injure, use or damage any house or other building, or any ground actually used as a garden, orchard, park or planted walk or avenue to a house, lawn or pleasure-ground, inclosed or adjoining to a dwelling-house, without the consent in writing of the respective owners and occupiers thereof first had and obtained for that purpose.

50. Premises vested in Trustees.

And be it Enacted, That the houses, buildings, messuages, lands, tenements or hereditaments to be purchased by the said Trustees, by virtue of this Act, on payment of the money agreed or awarded to be paid for the purchase thereof, to the person or persons, body, bodies politic, corporate or collegiate, entitled thereto, or on depositing the same in the Bank of Ireland, in manner by this Act directed, or paying the same as otherwise hereby directed, and all buildings and erections, and other matters and things thereon or belonging thereto, which shall be made, built, provided or erected by virtue of and in pursuance of this Act, shall be and the same are hereby vested in the Trustees so paying for the same, and their successors.

51. Trustees may sell Ground not wanted.

And be it Enacted, That it shall be lawful to and for the Trustees of any Markets established under the authority of this Act, by indenture, to sell, grant and convey, by way of absolute sale, all such of the houses, buildings, messuages, lands, tenements or hereditaments which shall be purchased by and conveyed to the said Trustees as shall not be wanted for the said works, or any part or parts thereof, for such sum or sums of money as in such conveyances shall be expressed, and that all such grants and conveyances shall be valid and effectual, any thing to the contrary notwithstanding; and upon payment of the money which shall arise by such sale or sales of such houses, buildings, messuages, lands, tenements or hereditaments, or any part or parcels thereof, or of any land by virtue of this Act, it shall and may be lawful for the treasurer or treasurers of the said Trustees for the time being to sign and give receipts for the money for which the same shall be sold (which receipts shall be sufficient discharges to the purchaser or purchasers for the money for which such premises shall be sold, or for so much thereof as in such receipts shall be acknowledged or expressed to be received), and such person or persons shall not be answerable or accountable for any losses, misapplication or non-application of such purchase-money, or any part thereof, which said money shall be applied by the said Trustees for the same or for the like purposes as the money hereby authorized to be raised is to be applied: Provided always, That the said Trustees before they shall contract for the absolute sale and disposal of any such houses, buildings, messuages, lands, tenements

or

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or hereditaments shall first offer to re-sell the same to the person or persons from whom the said Trustees shall have purchased such premises, or his, her or their heirs, at a price to be fixed on by the said Trustees, but in case of difference in that respect, then the price at which the same shall be re-sold shall be adjusted and settled by a jury, in like manner as the price for any land to be taken in pursuance of this Act is herein directed to be settled in case of difference or dispute as the value thereof; and in case such person or persons, or his, her or their heirs, to whom such offer shall be made, shall not then and therenpon agree, or shall refuse to purchase the same, or shall not be known or found within the county wherein such houses, buildings, messuages, lands, tenements or hereditaments shall be situated, on an affidavit being made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of Her Majesty's Justices of the Peace for the same county, by some person or persons no way interested in the said premises, stating that such offer was not then and thereupon agreed to, or was refused by the person or persons to whom the same was so made, or that the person or persons entitled to the premises was not known, or could not, after diligent inquiry, be found within the said county, such affidavit shall in all courts whatsoever be sufficient evidence and proof that such offer was made, and was not agreed to, or was refused by the person or persons to whom it was made, or that the person or persons entitled to the said premises was not known, or could not, after diligent inquiry, be found within the said county.

52. Markets &c. to be the property of Trustees.

And be it Enacted, That the said respective Markets, sheds, stands, offices, buildings, erections, conveniences, and all other matters and things which shall be purchased or provided by the said Trustees for the purposes of this Act, shall belong to, and be the property of, and are hereby vested in, the said respective Trustees and their successors, for the cities or towns in which said Markets shall be established under the authority of this Act, which Trustees shall be known by the name of the "Trustees for Markets in the cities or towns in which such Markets shall be established;" and the said Trustees shall or may cause to be brought any action or actions, suit or suits, or direct the preferring of any bill or bills of indictment, as the case may require, touching or concerning any matter or thing vested in the said Trustees hereby; and in all actions and bills of indictment respectively, it shall be deemed and taken to be sufficient to state generally that the article or articles, thing or things, for and on account of which such action or actions shall be brought, or bill or bills of indictment preferred, is or are the property of the "Trustees for Markets in the city or town in which said Markets shall be established," without particularly stating or specifying the name or names of all or any of the said Trustees.

Name to be used in Action or Indictment.

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53. Any person obstructing Collectors of Rates, subject to a Penalty; persons demanding over the legal Rates, liable to a Penalty.

And be it Enacted, That if at any time hereafter any person or persons shall assault, hinder or obstruct any Collector of the said tolls, or other person authorized to receive the same, or any other officer of the said Trustees employed to superintend the said Markets, or if at any time hereafter any Collector or other person authorized to receive the said tolls hereinbefore made payable, or any of them, shall knowingly take or demand of or from any person or persons any greater or less toll than shall be justly due for the same, every person offending in any of the cases aforesaid shall forfeit and pay such sum or sums of money, not exceeding the sum of *Five Pounds*, as any Justice or Justices of the Peace for the county or city in which such offence shall have been committed shall in that behalf direct; and that if at any time hereafter any person or persons shall take away, remove, destroy, deface, injure, or pull down any building, wall, gate or fence, pier, post, rail or erection, flagging or pavement, in, upon or within the limits of the said market-places, or any of them, or any board, notice or inscription which shall be fixed or set up, in or near to the same by the order of the said Trustees, or destroy, damage or injure any of the standings, sheds, bulks or other conveniences to be erected, set up or used in the said market-places, or any of them, or the limits thereof, or belonging to the said Trustees, every person offending in any of the cases last aforesaid, shall forfeit and pay such sum of money, not exceeding the sum of Five Pounds, as any Justice or Justices of the Peace for the county or city in which such offence shall have been committed shall in that behalf direct, and also such further sums of money as a compensation for the damage which shall have been occasioned by such offence as the said Justice or Justices shall in that behalf award.

54. Trustees may contract for Works.

And be it Enacted, That the said Trustees may and they are hereby authorized or directed to be done or performed in such manner and under such penalties for the due performance of such contracts as the said Trustees shall think fit, and every such contract shall be good, valid and binding, as well upon the said Trustees as upon the other party or parties thereto; and in case any person or persons who shall enter into any contract or contracts with the said Trustees shall, at any time, be guilty of any breach or non-performance thereof, or of any stipulation or agreement therein, it shall and may be lawful to and for the said Trustees, in case they shall deem it proper and expedient, to declare such contract or contracts to be null and void, and the same shall thereupon be null and void accordingly; or it shall and may be lawful to and for the said Trustees to compound for such sum or sums of money with the person or persons who shall have so entered into such contract or contracts for such breach or non-performance of such contract or contracts, and for all costs, charges and expenses which shall be occasioned thereby, as to them, the said Trustees,

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Trustees, shall appear proper and expedient; or it shall and may be lawful to and for the said Trustees to sue for and recover the full penalty and penalties contained and expressed in any such contract or contracts, or in any bond or bonds given and executed for the due performance of such contract or contracts, by action of debt, or on the case, in any of Her Majesty's courts of record in Dublin, in which action or actions no essoign, protection or wager of law, nor more than one imparlance, shall be allowed.

55. Actions to be brought and defended in the name of Treasurer or Clerk.

And be it Enacted, That all actions which shall or may be brought by or against the said Trustees, or any of them, for any thing done touching or relating to the execution of or for the purposes of this Act, shall and may be brought or instituted in any of Her Majesty's courts of record, in the name of any one of the said Trustees, or of the Clerk or Treasurer to the said Trustees; and that no such action shall abate or be discontinued by the death or removal of such Trustee, or of such Clerk or Treasurer, but any of the said Trustees, or the Clerk or Treasurer for the time being to the said Trustees, shall be deemed the plaintiff or defendant in every such action, as the case may be: Provided always, That every such Trustee, Clerk and Treasurer, in whose name any action or suit shall be commenced, prosecuted or defended in pursuance of this Act, shall always be reimbursed and paid out of the monies to arise by virtue of this Act, all such expenses, damages, costs and charges as by the event of any such proceeding he shall be put to, or become chargeable with, by reason of his being so made plaintiff or defendant therein.

56. Fines and Forfeitures.

And be it Enacted, That all complaints and informations of offences against this Act, or any rule, order or bye-law to be made in pursuance thereof (except in cases where the manner of hearing and determining thereof is hereinbefore otherwise directed), shall and may be made before one or more Justice or Justices of the Peace for the county or place wherein the offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take cognizance thereof, and to summon the person or persons complained of to appear before him or them, or upon complaint upon oath or affirmation to issue his, her or their warrant or warrants for the apprehension of any such person or persons, and upon the appearing or not appearing of such person or persons pursuant to such summons, and upon such person or persons being apprehended with such warrant, to hear the matter of every such complaint and information by examination of any witness or witnesses upon oath or affirmation, and to make such determination thereon as such Justice or Justices shall think proper; and upon conviction of any person or persons such Justice or Justices shall and may issue a warrant under his or their hand and seal, or hands and seals, for levying the fine, penalty or forfeiture by virtue of this Act, or of any bye-law made

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in pursuance thereof, imposed for such offence, by distress and sale of the goods and chattels of the person so convicted; and it shall and may be lawful to and for any Justice or Justices to order any person so convicted to be detained and kept in custody of any constable or other peace-officer until it can be ascertained whether such person hath any goods and chattels whereon such fine, penalty or forfeiture can he levied; and in case sufficient goods or chattels of any person liable to pay any such fine, penalty or forfeiture cannot be found whereon to make such distress, and such fine, penalty or forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by warrant under his and their hand and seal, or hands and seals, to commit such offender to the common gaol or house of correction for any term not exceeding *Three* Months, unless such penalty or forfeiture, and all reasonable charges attending the recovery thereof, shall he sooner paid and satisfied; and all such fines, penalties and forfeitures, when recovered, shall, when the application is not otherwise directed by this Act, be paid into the hands of the Treasurer of the said Trustees, and shall he applied and disposed of for the purposes of this Act, and the overplus (if aoy) arising from such distress and sale, after payment of the penalty, and the costs and charges attending the same, shall be returned, upon demand, tu the owners of the goods and chattels so distrained.

57. Justices may compel attendances of Witnesses.

And be it Enacted, That if any person or persons who shall be summoned as a witness or witnesses to attend and give evidence before any Justice of the Peace touching any matter of fact contained in any information or complaint for any offence committed against this Act, either on the part of the prosecutor or the person or persons accused, shall refuse or neglect to appear at the time and place to be for that purpose appointed, having been paid or tendered a reasonable sum for his, her or their charges, without a reasonahle excuse for his, her or their refusal or neglect, or appearing shall refuse to be examined upon oath (or, in case of a Quaker or Quakers, on solemn affirmation, and to give evidence before such Justice of the Peace), then and in either of the said cases every such person shall forfeit and pay for every such offence any sum not exceeding *Five Pounds*, to be recovered in like manner as any peualty imposed hy this Act may be recovered.

58. Appeal.

Provided always, and he it Enacted, That any person or persons thinking himself, herself or themselves aggrieved hy any order or judgment made or given in pursuance of any rule, hye-law or order of the said Trustees, or by the order or determination of any Justice or Justices of the Peace in pursuance of this Act, may, within *Three* calendar Months after such order shall be made or given, complain to the Justices of the Peace at the General Quarter Sessions of the

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the Peace to be held in and for the county wherein the offence shall be alledged to be committed, the person or persons appealing having first given at least *Ten* Days' clear notice of such appeal, of the nature and matter thereof to the person or persons appealed against, or to the Clerk of the said Trustees, and forthwith after such notice entering into a recognizance before some Justice of the said county, with Two sufficient Sureties conditioned to try such appeal, and to abide the order and award of the said Court thereupon; and the said Justices, Recorder or Deputy Recorder, upon due proof of such notice and recognizance having been given and entered into, shall, in a summary way, hear and determine such complaint at such General Quarter Sessions of the Peace to be held for the said county, and, if they or he see cause, may mitigate any forfeitures or fines, and may order any money to be returned which shall have been levied in pursuance of such rule, bye-law, order or determination, and shall and may also award such further satisfaction to be made to the party injured, or such costs to either of the parties, as they or he shall adjudge reasonable and proper; and all such determinations of the said Justices, Recorder or Deputy Recorder, shall be final, binding and conclusive upon all parties to all intents and purposes.

59. For securing transient Offenders.

And be it Enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors or other officers respectively, and such person or persons as they or any of them shall call to their assistance, without any warrant or other authority than this Act, to seize and detain any person or persons (being unknown to such Trustees, Collectors or other officers) who shall commit any offence or offences against this Act, and take him, her or them before any Justice or Justices of the Peace for the county or place where the offence or offences shall be committed, or such offender or offenders shall be seized and apprehended, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such offender or offenders according to the provisions of this Act.

60. Form of Conviction.

And be it Enacted, That the said Justice of the Peace before whom any offender shall be convicted of any offence under this Act shall cause the said conviction to be made out in manner and form following, or in any other form of words to the like effect, mutatis mutandis; which conviction shall be good and effectual to all intents and purposes, without setting forth the evidence, or stating the case in any particular manner; (that is to say)

County of } "BE it Remembered, That on the
to wit. } day of in the year of our Lord,
is [or, are] convicted before me [or, us, as the
case may be] of Her Majesty's Justices of the Peace
for the said county of by virtue of an Act
passed in the year of the reign of Queen VICTORIA,
intituled

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intituled [here insert the title of this Act] of having [specifying the offence, and the time and place when and where the same was committed, as the case may be], contrary to the said Act, and for which offence I [or, we, as the case shall be] do adjudge the said to have forfeited the sum of Pounds. Given under my hand and seal [or, our hands and seals, as the case may be] the day and year first above written."

which conviction or convictions shall, if required, be written fairly upon parchment, and returned to the Clerk of the Peace for the county, or county of a city, or county of a town, wherein the said offence shall have been committed, to be filed by him, and to remain and be kept among the records of the said county, or county of a city, or county of a town (as the case may be.)

61. Form of Warrant for levying Penalties.

And be it Enacted, That any warrant to be issued by such Justice of the Peace for levying any penalty under such conviction from the goods of such offender, shall be in the following form, or in some other form of words to that or the like effect, which form shall be good and valid, to all intents and purposes; (that is to say,)

County of } to wit. } "To and each of them, and their and each of their Assistants.

"WHEREAS on the day of now last past of was duly convicted before me [or, us, as the case may be], of Her Majesty's Justices of the Peace for the county of by virtue of an Act passed in the year of Queen VICTORIA, intituled [here insert the title of this Act] of having [specifying the offence, and the time and place when and where the same was committed, as the case may be], contrary to the said Act; and thereupon the said hath become liable to a fine, or penalty of I [or, we, as the case may be] do therefore by these presents authorize and command you and each of you to take into your possession the goods of the said or a sufficiency thereof for the levying the said sum thereout, wherever you shall find the said goods in the county aforesaid; and if the goods shall not be redeemed by the payment of the said sum within Days from the day of taking the same, you are, by public sale thereof, to levy the said sum, rendering the overplus, if any; and the said sum so levied you shall bring to me [or, us, as the case may be] without delay, to be disposed of according to law. Given under my hand and seal [or, our hands and seals, as the case may be], this day of ."

and if goods sufficient cannot be found to answer the penalty, a warrant

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warrant shall be thereupon issued for committing such offender or offenders, and the same shall be in the same form as the said warrant last mentioned, to the words "I [or, we, as the case shall be] do therefore by these presents," which words, and all from thence to the words "disposed of according to law" inclusive, shall be omitted, and this form following, or some other form of words to that or the like effect shall be inserted in their places; (to wit)

"AND whereas on the day of a warrant was issued to levy the said sum from the goods of the said offender, and such goods could not be found sufficient to answer the said sum, I [or, we, as the case shall be] do therefore hereby authorize and command you and each of you to take the body of the said wheresoever you shall find him, in the county of and bring him before me [or, us, as the case shall be], or any other magistrate of the said county."

and the form of committal for committing any such offender to prison shall follow the form of such warrant, save only that the direction thereof shall be to the proper gaoler; and that from and after the words "I [or, we, as the case shall be] do therefore hereby authorize and command you," there shall follow these words, "to receive into your custody the body of the said and him or her safely keep for from the date hereof, unless the said sum shall be sooner paid. Given under my hand and seal [or, our hands and seals, as the case shall be] this day of ; and each and every of the said forms, or any form of words to the like effect respectively, shall be good and valid in the law to all intents and purposes.

62. Distresses not to be unlawful for want of form.

And be it Enacted, That where any distress shall be made for any sum of money to be levied by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers on account of any defect or want of form in the notice, information, summons, conviction, warrant of distress, or other proceedings relating thereto; nor shall the party or parties distraining be deemed a trespasser or trespassers, ab initio, on account of any irregularity which shall be afterwards done by the party or parties so distraining, but the person or persons aggrieved by such irregularity shall and may recover full satisfaction for the special damage in an action upon the case.

63. Proceedings not to be quashed for want of form.

And be it Enacted, That no order, verdict, assessment, judgment or other proceeding made touching or concerning any of the matters aforesaid, or touching or concerning the conviction of any offender or offenders against this Act, shall be quashed or vacated for want of form only, or be removed or removable by certiorari, or by any other writ or process whatsoever, into any of Her Majesty's courts

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of record in Dublin; any law or statute to the contrary thereof in anywise notwithstanding.

64. Notices of Action to be given, and Plaintiff not to recover after tender of amends.

And be it Enacted, That no plaintiff or plaintiffs shall recover in any action to be commenced against any person or persons for any thing done in pursuance of this Act, unless notice in writing shall have been given to the defendant or defendants *Fourteen* Days before such action shall be commenced of such intended action, signed by the attorney for the plaintiff or plaintiffs, specifying the cause of such action; nor shall the plaintiff or plaintiffs recover in any such action, if tender of sufficient amends shall have been made to him or them, or to his, her or their attorney, by or on behalf of the defendant or defendants, before such action brought; and in case no such tender shall have been made, it shall and may be lawful for the defendant or defendants in any such action, by leave of the court wherein such action shall have been brought, at any time before issue joined, to pay into court such sum of money as he, she or they shall think fit, whereupon such proceedings, order and judgment shall be made and given in and by such court as in other actions where the defendant is allowed to pay money into court.

65. Limitation of Actions.

And be it Enacted, That no action or suit shall be brought against any person or persons for any thing done in pursuance of this Act, or in relation to the matters therein contained, after *Six* calendar Months from the fact committed; and every such action or suit shall be brought and tried in the county where the cause of action shall have arisen, and not elsewhere; and the defendant and defendants in every such action or suit shall or may, at his and their election, plead specially, or the general issue, and give this Act and the special matter in evidence at any trial, and that the same was done in pursuance and under the authority of this Act; and if the same shall appear to have been done, or if such action or suit shall have been brought before the expiration of *Fourteen* Days next after such notice shall have been given as aforesaid, or after sufficient satisfaction made or tendered as aforesaid, or after the time limited for bringing the same, or shall be brought in any other county or place than as aforesaid, then and in every of the said cases the jury shall find a verdict for the defendant or defendants, and upon such verdict, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his, her or their action or suit after the defendant or defendants shall have appeared, or upon any demurrer judgment shall be given against the plaintiff or plaintiffs, then and in every such case the defendant or defendants shall recover double costs, and have such remedy for recovering the same as any defendant or defendants hath or have in other cases by law.

66. Informers of Offenders against the

And be it Enacted, That it shall and may be lawful to and for the said Trustees, or their successors, to reward any person or persons who

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who shall give information of offences committed against this Act, so as such reward shall not exceed the amount of the penalty or forfeiture which the person or persons so informed against shall have incurred; any thing herein contained to the contrary notwithstanding. Act to be rewarded.

67. And be it Enacted, That in all cases where cognizance is given to any Justice or Justices of the Peace by this Act, it shall and may be lawful to and for such Justice or Justices of the Peace to administer an oath to any person for his or their more certain information in the matter then depending; and if any person shall, upon his, her or their examination on oath before any Justice or Justices wilfully and corruptly give false evidence, such person or persons so offending, and being thereof convicted, shall be and is and are hereby declared to be subject and liable to such pains and penalties as by any law in force and effect persons convicted of wilful and corrupt Perjury are liable to. Penalty for Perjury.

68. And be it Enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such, by all Judges, Justices and others, without being specially pleaded. Public Act.

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